

REMARKS

This application has been reviewed in light of the final Office Action dated July 2, 2008. Claims 1- 5 are presented for examination. Claim 1 has been amended to define still more clearly what Applicant regards as his invention. Support for the amendment is found, inter alia, in paragraphs [0030] and [0031]. Claim 1 is in independent form. Favorable reconsideration is requested.

Claims 1-5 were rejected as obvious over [0002] - [0011] as admitted prior art combined with Huggins '268 or Japanese Patent '119 and further in combination with Mori '397. Huggins is said to teach applying an electric field between a substrate and a target. The admitted state of the art teaches ejecting particles and polarizing the layer on the substrate to form the film. In Huggins, the target is bombarded, particles dislodged are ionized by an electric field and the ionized particles attracted to a substrate of an opposite charge. JP '119 is said to teach spraying particles and subjecting them to an electric field to control polar axes. Mori is said to teach spraying pyroelectric material by nozzle 47 onto a substrate via an electric field to orient and polarize the particles.

The present invention employs a gas deposition procedure to form an oriented film. Particles are ejected (generally in the form of dispersed particles carried in a gas) from an ejecting device, such as a nozzle (in the form of a spray) toward a substrate on which a film is to be formed. A potential is applied between the ejecting means and the substrate to polarize and macroscopically orient the particles to form a deposited film with dipoles oriented in the direction of the electric field. See page 12, lines 3-9. If discharge occurs when the ultra-fine particles are ejected from the nozzle, lead, titanium or the like may be precipitated from the ultra-fine particles or piezoelectric film, where by the film becomes conductive. To prevent this from

occurring a current-limiting circuit is provided on the power source or the interconnection between the power source and the ejecting nozzle to prevent a rush current (excess current) from flowing.

None the cited references discloses or suggests that an undesired discharge can cause ultra-fine particles and/or the piezoelectric film to decompose to form metals which can precipitate and make the film conductive. None of the references discloses or suggests the solution to this problem which is a current-limiting circuit on the power source or in the interconnection between the power source and nozzle. Having failed to suggest the problem, how can the references provide a solution to an unknown problem.

In view of the foregoing amendments and remarks, Applicant respectfully requests that the amendment be entered, the finality of the rejection be withdrawn, the claims be allowed and the case be passed to issue.

Applicant wishes to interview the Examiner if necessary, to resolve any further issues which may remain. Accordingly, the Examiner is requested to contact the undersigned after reviewing this response and if issues remain to discuss advancing prosecution.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Peter Saxon/

Peter Saxon
Attorney for Applicant
Registration No.: 24,947

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 2547156v1